

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

DEBRA ANN SUTTLE,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	CIVIL NO. 19-cv-623-DGW <sup>1</sup>
	)	
COMMISSIONER of SOCIAL SECURITY,	)	
	)	
Defendant.	)	

**MEMORANDUM AND ORDER**

**WILKERSON, Magistrate Judge:**

Before the Court is the parties' Agreed Motion to Remand to the Commissioner. **(Doc. 27)**.

The parties ask that this case be remanded for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g). A sentence four remand (as opposed to a sentence six remand) depends upon a finding of error, and is itself a final, appealable order. See, *Melkonyan v. Sullivan*, 501 U.S. 89 (1991); *Perlman v. Swiss Bank Corporation Comprehensive Disability Protection Plan*, 195 F.3d 975, 978 (7th Cir. 1999). Upon a sentence four remand, judgment should be entered in favor of plaintiff. *Shalala v. Schaefer*, 509 U.S. 292, 302-303 (1993).

The parties agree that, upon remand, "Plaintiff have the opportunity for a new hearing, and the ALJ will: (1) further evaluate the medical evidence, including

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<sup>1</sup> This case was assigned to the undersigned for final disposition upon consent of the parties pursuant to 28 U.S.C. §636(c). See, Doc. 15.

medical opinion evidence; (2) reassess Plaintiff's residual functional capacity; (3) if necessary, obtain evidence from a medical expert; (4) if necessary, obtain supplemental evidence from a vocational expert; and (5) issue a new decision.

Plaintiff applied for disability benefits in January 2016. (Tr. 72). While recognizing that the agency has a full docket, the Court urges the Commissioner to expedite this case on remand.

For good cause shown, the parties' Agreed Motion to Remand to the Commissioner (**Doc. 27**) is **GRANTED**.

The final decision of the Commissioner of Social Security denying plaintiff's application for social security disability benefits is **REVERSED and REMANDED** to the Commissioner for rehearing and reconsideration of the evidence, pursuant to sentence four of 42 U.S.C. § 405(g).

The Clerk of Court is directed to enter judgment in favor of plaintiff.

**IT IS SO ORDERED.**

**DATED: January 15, 2020.**



**DONALD G. WILKERSON**  
**UNITED STATES MAGISTRATE JUDGE**